British Packet AND ARGENTINE NEWS.

No. 410.] BUENOS AYRES, SATURDAY, JUNE 28, 1834. [Vol. VIII.

BUENOS AYRES.

An extraordinary sitting of the House of Representatives took place on Thursday, when the resignation of office made by the Governor was admitted. To-morrow the Representatives are to meet in order to elect a new Governor;—it is thought their choice will fall upon General Rosas.

MONTEVIDEO.

The recent accounts from the above city, are of importance. News of a fresh invasion of the Oriental territory, was circulated in Buenos Ayres on Monday last. It was then said that 300 Brazilian veteran troops had passed the frontier, and taken the Cerro Largo; and that the Commandant thereof (Colonel Servando Gomez,) was wounded and made prisoner. The arrival of the schooner packet *Minerva*, has put us in possession of the following particulars:—

A despatch, dated Fraile Muerto, 12th inst., from Colonel Servando Gomez to the Government at Montevideo, states that on the morning of the 10th he was attacked by Don Manuel Lavalleja, at the head of 111 men, all Brazilians except 50, the latter being Orientals; and among them various officers and troops of the National Guards. At 11 in the morning he found himself under the necessity of surrendering, owing to the want of ammunition and the bad position he occupied.— The force under his command consisted of 60 men, the third part of whom were killed and wounded. That he (Colonel Gomez,) was himself slightly wounded in the face with a ball. The assailants had taken (besides the arms of his troops,) 100 lances, 200 swords, &c. He was liberated on the same day, with all his officers, on their *parole d'honneur*;—notwithstanding which (according to the despatch,) he was, in compliance with his duty, taking every means in his power to collect a force in order to oppose the enemy.

A private letter from Colonel S. Gomez, to Señor Manuel Oribe, states that he was completely taken by surprise, not expecting the Brazilians would act so basely.

It is difficult to conceive that the Brazilian authorities had any share in the irruption to which the above documents refer: indeed it is stated that the Brazilian Marshal Barreto, had arrived at the head-quarters of the President of the Oriental Republic, in order to concert measures to frustrate for ever the plans of the anarchists, and of the Charruas Indians.

The Montevideo journals say, that the British brig Sarah, recently arrived there from Malaga, had been cleared out at the latter port, direct for Montevideo and Buenos Ayres; being the first instance of the sort since the year 1810; and that various other vessels had received their clearance in the ports of Spain, for ports of the new American States.

A resolution of the Government of the Oriental Republic of the Uruguay, dated 6th January, 1834,—signed by the President, Fructuoso Rivera; and by the Ministers, Lucas J. Obes, and Manuel Oribe,—has been lately published; whereby vessels under the Spanish flag are in future to be admitted in the ports of the Republic, under conditions to the following effect, *viz.:*

Art. 1.—Spanish vessels shall be admitted in the ports of the Oriental Republic. They must bring certificates from the National Consuls, that the Captain, passengers, &c., were disposed to respect the authorities of the country during their stay in the ports of the State.

2.—The said vessels shall not enter the ports of the Republic except they have the flag of the Republic at their main-top mast head, and their own where they think proper.

3.—Should there be no Consuls in the ports whence they sail, a certificate will be required from two national merchants or citizens of the Republic.

4.—Señores Modesto Sanchez, Domingo Vasquez, and José Gestal, merchants of Montevideo, who have solicited the acquiescence of the Government to the present declaration, shall be immediately responsible that no improper use be made of it, and become guarantees thereto.

The Legislature of the Oriental Republic sanctioned, on the 15th inst., the project of law in order to present to the President of the Republic, Fructuoso Rivera, the value of 50,000 dollars when his term of office expires.

CHILI.

We have received Chili journals to 14th ult.— They contain accounts from Lima announcing the defeat of General Nieto, at Miraflores, by the forces which had risen against the Government, under the command of General Gamarra. The latter had taken possession of Arequipa. General Nieto had gone on board ship at Islay.

HOUSE of REPRESENTATIVES of the PROVINCE OF BUENOS AYRES.

Discussion relative to the Petition of the Minister of the Home Department, (Señor Garcia.)

Señor Wright on the 19th inst. withdrew his project, and stated his perfect coincidence in that presented by Señor Anchorena.

At a sitting on 21st,—Señor Martinez said that the vindication of the honor of the Minister did not require that the affair in question should be brought before the House in the manner proposed.

Señor Lozano supported the project of Señor Anchorena.

Señor Miguel Garcia thought that the present step adopted by the Minister, resulted from the equivocal proceeding of the Jury; that the case ought to be again sent to it for decision, accompanied with the vouchers which had been offered to be brought forward.

Señor Medrano was of opinion that the Minister ought to apply to the judicial authority.

At a sitting on 25th,—Señor Insiarte, as one of the members of the majority of the Special Committee, replied to the various objections which had been offered to the project it had laid before the House.——The affair was then declared to have been sufficiently discussed, and a debate ensued whether the House should proceed to vote upon the admission of the projects generally, or first upon that presented by the Committee, and afterwards upon the others by priority. It was decided that the voting should take place upon the general admission of all;—the result of which was, that the House negatived every one of the said projects.

General Pacheco took the oaths and his seat on this evening.

Official Documents.

"*Buenos Ayres, June 14th*, 1834.

"*Most Excellent Sir*,—In conformity to the orders received from my Government, I have the honor to transmit to Your Excellency a copy of the letter of notification, addressed to H. E. the President of the Republic of the United Provinces of La Plata, relative to the accession of His Majesty King Leopold to the throne of Belgium.

"I shall be obliged if Your Excellency will inform me the customary mode of proceeding, in order to deliver the original to H. E. the Supreme Chief of the Republic.

"I take this opportunity to renew to Your Excellency, the assurances of my high consideration.

"*The Consul of Belgium*,

"FERDINAND DELISLE."

"To H. E. GENERAL GUIDO,
"*Minister of Foreign Affairs, &c.*"

"SIR, AND GREAT FRIEND,

"Called by Providence and the voice of a free people, I have ascended the throne of Belgium, resolved to devote my exertions to its prosperity and independence. United with your Republic by the same love of liberty, Belgium will always endeavour to extend its relations with your country; and my particular efforts shall be directed to draw closer the ties of esteem and of friendship which now exist between both nations. In order to give the Argentine Republic an unequivocal proof of the sentiments which animate me, I have resolved to inform you of an event whose notification has been delayed by circumstances sufficiently notorious, an event which affords me the occasion to offer you the most sincere assurances of my consideration and friendship.

(Signed,) "*LEOPOLD.*"

September 28, 1833.

A communication dated Buenos Ayres, 20th inst., from the Government of Buenos Ayres to that of Corrientes, comments upon the language used by the House of Representatives of Corrientes, as it regards Buenos Ayres;—stating, that in the late dispute between Corrientes and Paraguay, Buenos Ayres made every effort within her means to assist the sister province; and that the ingratitude with which this had been received by a certain class, does not apply to the patriotic and enlightened Correntinos.

(For continuation of Official Documents, see last page.)

A rather amusing controversy has occurred in the *Gaceta Mercantil*, upon the following very *serious* subject:—

The *Imparcial*, in one of its recent numbers, contained an extract from a book of travels published in London, wherein the graces of the Buenos Ayrean ladies are highly extolled; and it furthermore stated, that in the choice of husbands they give the preference to the Sons of Albion.—This latter assertion called forth the ire of some native writers, who gave vent to their indignation in one or two *comunicados* in the *Gaceta*, repelling the assumption of the traveller, and quoting Chesterfield's Letters to prove that the said Sons of Albion, instead of being patterns of morality, were and are, generally speaking, a drunken, window-breaking race of people; or, according to the old ditty,—

"They are the lads for a bit of a bobbery,—
Cracking of lamps, smashing of panes,
Breaking of heads, isn't murder or robbery," &c.

Moreover, (although it did not exactly appear in the bond,) there was something like the hint made by the son of the Mactwolters, to the effect that the fair would hardly prefer John Lump, when such a man as Mr. Looney Mactwolter stood beside them. The Editor of the *Gaceta* kindly interfered in the case; and notwithstanding he said nothing about the "march of intellect" in our country since Chesterfield's days, or that John Bull no longer made it his boast that to get drunk was the liberty and birth-right of every true Briton,—yet it was evident something of these matters passed in his mind when he prepared the emollient plaister, in the shape of a declaration that the discussion was an odious one, and that it was unfair to compare our countrymen of the present day, with those of Chesterfield's time.

Notwithstanding all this, it was evident that British swains were tumbling to a discount among the *Porteñas*; but the market soon assumed a livelier appearance, in consequence of a communication in the *Gaceta* of Monday last, signed "*Varias Porteñas que piensan*," in which the domestic qualities of our *paisanos* were eulogized, and stating that they passed their leisure hours with their wives and families, instead of lounging in coffee-houses and at the corners of streets, like the generality of *Porteño* husbands.

"Travellers see strange things,"—we must not believe all they say: and no doubt our traveller has assumed too much in asserting this said preference of the Buenos Ayrean fair. It has been said, that no one should pronounce a positive opinion upon the manners and customs of a country, unless he has resided at least ten years in it, and constantly mingled with the inhabitants, and at the same time be well acquainted with their language, and capable of conversing with them with ease, otherwise he will be like a person who sits at a play without understanding the dialect, and who can only tell which of the actors are best dressed,—the drama of course remaining to him an impenetrable secret.

"The greater part of travellers tell nothing, because their method of travelling supplies them with nothing to be told. He that enters a town at night and surveys it in the morning and then hastens away to another place, and guesses at the manner of the inhabitants by the entertainment which his inn afforded him, may please himself, but not any one else."

When, in the year 1832, it was decided to curtail the holidays kept in Buenos Ayres, the day of St. John the Baptist was included in the *non* "red letter days." Upon further consideration, however, it has been ordered to be observed as a *dia de fiesta*. Accordingly Tuesday last (24th inst.,) was a close holiday in Buenos Ayres. The church of San Juan was splendidly decorated, and had a numerous congregation notwithstanding the unfavourable weather. Various bands of musicians were busily employed during the day, traversing from house to house, in order to serenade the *Juans* and *Juanas*,—these names preponderating in Buenos Ayres, as well as in most other parts of the Christian world. A number of lovely *Juanitas* received the usual compliments on the "happy return of the day," and the flattering incense generally offered to youth and beauty. At night, balls and *tertulias* abounded, and in many instances were kept up until sunrise on the following morning.

We received by the last packet, a small volume recently published in London, entitled

O FLUMINENSE;
A Poem, suggested by scenes in the Brazils.
BY A UTILITARIAN.

With a request to notice it in the *British Packet*. It was thought that the scene of the Poem being laid in South America, and also from its treating of Don Pedro, it might occasion some interest with us in Buenos Ayres. We therefore intend from time to time to insert some extracts from it, reserving until the last what few remarks we may have to make thereon.

The author's Preface is as follows:—

"Nature intended me for a tradesman—circumstances have made me a poet. My earliest and fondest aspirations were centered in a seat in the counting-house; and the tall stool, on which the book-keeper sat, was the height of my ambition. I was doubtless in the certain career of promotion, when my evil genius stepped in, and gave an entirely new impulse to my faculties. I was unfortunately sent abroad, under the auspices of a respectable mercantile house, to one of the most beautiful and enchanting regions of the globe—a land hitherto unsung, and yet teeming with poetical imagery; and the natural consequence was, that I became a poet. I know there are but too many who will cry out—*Poeta nascitur* &c. &c. &c. To such I have only one answer, that the case was as I have stated it.

"My poem is, I confess, strictly commercial, and thus far I am willing to allow that my natural inclinations may have had their bias.

"I remain, dear Reader,
"Your most obedient Servant,
"THE AUTHOR."

The verses 9 to 14, in the First Canto, treat of the Author's arrival at Rio Janeiro,—his bitterness that the anxious exertions of the sons of commerce should pass unheeded, and that

"For them is rais'd no arch, no monumental stone."

Down fell the anchor, near a league from shore,
And, ere our wanderer saw the twilight wane,
A burst of melody came swelling o'er
The dark blue waters of the western main:
"Ave Maria"—'twas thy blessed strain! (*)
Thou breathest joy and peace along the gale;
The captive hears thee, and forgets his chain,
The sick and broken-hearted greet thy wail,
Feel one more day of grief away, and bid thee hail!

A thousand keels secure from danger ride
Within the circling compass of the bay;
The flags of France and England, side by side,
Leap into life, and in the light breeze play;
La Plata's sunbeam sheds its kindling ray, (†)
And noble barks, from every region come,
Where arts have learn'd to dwell, and man to stray;
The patient bees, who o'er earth's garden roam,
And honey-laden bear their precious treasure home.

Among the claimants for the meed of fame,
'Tis strange that those should still the foremost be,
Whose path is mark'd by massacre and flame!—
In vain has commerce rais'd the olive tree,
And planted vineyards she was forced to flee,
That conquerors might reap where she had sown!—
In vain her sons have cop'd with misery
Through life, and died at length, unwept, unknown!
For them is rais'd no arch, no monumental stone.

Worn with anxiety, bow'd down by care,
Their hard-earn'd gains were ever won with pain!
Yet are they worthy of a better fare!—
Let idiots prate of trade's degraded train,
And maudlin poets echo back the strain,
And brand the only source whence wealth can bless
Alike the giver and the hands that gain:
Kings may command, and heroes may oppress!
But all such might is built on human wretchedness!

(*) *"Ave Maria," 'twas thy blessed strain.*—The hour of twilight, or Ave Marias, is here announced by a few strains on the bugle from the guards of the Palace. On a quiet evening the effect is very pleasing.

(†) *La Plata's sunbeam sheds its kindling ray.*—The national ensign of the Argentine States is a rising sun.

Yet mark the sons of trade! whose humbler aim
Is but the riches of the earth to spread,
One common feast for all:—they urge no claim
To slighted worth, yet scatter, where they tread,
Health to the sick, and to the hungry bread:
The healing plant from every foreign strand
They home-ward bear, and there its bounties shed;
And, issuing forth like manna from their hand,
Corn, oil, and wine o'erspread, and cheer each happy land.

Now doth it much behove us to observe
A fact, the author gladly would omit,
If he could manage this, and still preserve
His character by any quirk of wit:
If not, whate'er betide, still be it writ,
Young Willoughby was one among the crowd,
Who to the toils of commerce must submit.
Yet of this very toil the dunce was proud:
To youth of gentle blood such fate were as a shroud!

Verses 23 and 24, speak of his reception by his employers at Rio, &c.:—

His welcome certainly was most sincere,
In fact his services were much requir'd;
But selfish feelings had no influence here!
The purest of benevolence inspir'd
His anxious patrons, who, with ardour fir'd
To benefit the youth by occupation,
Soon found him even more than he desir'd:
"Sloth oft engenders vice,"—but in his station
They did not even give him leisure for temptation.

'Tis but dull work, that dot and carry one,
All through the blessed day, without one hour
Of respite for the drudge!—for him the sun
Ascends not in his plenitude of power,
And from the desert calls forth fruit and flower
In wild profusion; not for him the skies
Unveil their beauty, pour the cooling shower,
Or woo with smiles the summer as she flies,
Till all creation blooms an earthly paradise.

The author complains of the want of society in Rio Janeiro; and says, in verse 28:—

Six months had Willoughby in Rio been
Without one sole acquaintance, save the wall
That flank'd his dwelling, and whose envious screen
Still added to the dull monotony of scene.

He however gets invited to an evening party by one Señor Jozé, which he describes in verses 34 and 35:

The ladies sat in one continu'd file,
At one extremity of which the host
Kept watch; a crabbed looking priest, meanwhile,
Close to the other end had fix'd his post:
The men were seated opposite; the most
Engag'd in gaming; others towards the fair
Threw long and lingering looks, for none might boast
The privilege to say soft nonsense there,
Or wield the taper fan, or stand behind the chair.

Some few talked politics—the only branch
Of abstract knowledge which requires no thought!
On all its theories fearless you may launch,
Without the slightest dread of being caught.
If that your tongue with fluency be fraught,
You need but little care for erudition:
Let meaner science be with labour taught,
Sound politics are learned by intuition,
And study, given to them, can but promote sedition.

A discussion then took place respecting the abolition of the slave trade; and verses 41, 42, and 43, run as follows:—

Amid these politicians, there was one,
A native of Madeira; to the rest
Comments of most tremendous length he spun,
Much longer than their patience: with some zest
His glance met Julian's, whom he straight address'd
In fluent English:—"Judging from your mien,
"You seem a stranger, Sir, and may be guess'd
"To be as yet a novice in this scene:
"You'll like the people much, ere oft a guest you've been."

"'Tis possible," said Willoughby, "and yet
"It seems unsocial thus to place apart
"The ladies from the gentlemen, and set
"Restrictions on those feelings of the heart,
"Which, utter'd, mirth, and joy, and love impart,
"And form the rivets of the social chain:
"Each softer blandishment, each pleasing art,
"Which unto gentle woman appertain,
"As fragrance to the flower, must here unknown remain."

"Unknown!"—replied the other with surprise,—
"If you were married here, you would not blame
"The custom of the place; nay, were you wise,
"I'm very sure that you would do the same;
"And, like the guardian of each gentle dame,
"Would keep your treasure under lock and key:
"Tinder should ever be apart from flame,
"And simple as you judge these girls to be,
"Their blandishments had nearly prov'd the death of me."

JUVENILE EDUCATION.

(CONTINUED.)

It would also be advantageous to encourage attention to the higher branches of education.—This, we are aware, is not the special province of the Committee. Their primary object is, and always must be, to secure what is *essential for all*, rather than what may be *advantageous to individuals*. From them, therefore, we can only expect an indirect patronage, corresponding to the influence that every individual has on the community of which he is a member. Our observations under this head, therefore, are of a more general character, and addressed in particular to *parents*.

Elementary education is no doubt the first and most essential point, and entitled in all cases to a due preference. "I wish," said George III., "that every child within my dominions may be able to read the Holy Scriptures;"—a sentiment worthy to be recorded in letters of gold, and inscribed on the marble that points out his sacred ashes. To neglect this is unpardonable; to rest contented with it may be impolitic. If an entire society sunk down to this level, we must expect a gradual stagnation of thought and feeling, and progressively a decrease of activity and enterprize, and lastly, a deterioration of manners and morals. Intelligence is not necessarily virtue; but it is her handmaid, and her ornament. Virtue based on information, and rooted in principle, is the highest personal endowment, and the choicest national treasure; virtue springing from any other source, whilst associated with ignorance, m:y be to a cert in extent meritorious, but is neither an equal safeguard to the individual, nor equ lly available for the exigencies of society. In this r sp ct, therefore, it is desirable that some in every so iety rise above the common standard, and *think*, and *examine*, and *decide* for themselves. It is n t our intention here to write the panegyric either of literary or scientific education. In this age of *experiment* and *utility*, these matters are sufficiently well understood, and in general duly appreciated. Here, however, parents frequently labour under an illusion, which, as it may become prejudicial to their offspring, we feel ourselves called upon to point out and dissipate. In our quality of foreigners, we have only a very limited range for aspiration; and prospectively we are apt to imagine that our children must find themselves in the same predicament, and accordingly conclude that they are not likely to be incommoded by the want of qualifications that we find to be nearly superfluous. This is a very prevalent, but erroneous idea. In this respect their situation differs essentially from ours. Citizens by birth, their civil and social rights and privileges are entire and complete; and if qualified by their attainments, or entitled by their merits, they may aspire to the highest offices in the State. In short, they are a fractional part of the *Sovereign People*, and ought to be considered and treated accordingly. We have no reason certainly to expect that many will rise to eminence and distinction; still it were cruel by a niggardly and superficial education to cut off all chance and possibility of their rise. They calculate too nicely in such cases, who calculate the probabilities of success. Fortune and fame are necessarily the lot of few; but if the object proposed is laudable, and the means pursued for its attainment honourable, they can only be benefitted by the competition: for if, in obedience to the maxims of the world, the attainment of honourable distinction must still be ranked as the first earthly felicity, certainly the consciousness of having merited it, may be placed as the second.

Nor, on the other hand, should some of the subordinate branches of juvenile education, such as drawing, vocal music, dancing, &c., be so entirely neglected as hitherto. Their intrinsic value may be small compared with others; yet as they tend to give a polish to manners, and add an innocent and delightful charm to social intercourse, they are certainly entitled to a proportionate share of regard. The bow always bent loses its elasticity; and human nature craves certain intervals of relaxation from the "carping cares of life," and even from the pursuit of grave and formal wisdom. Among the young, in particular, this prerogative is dearly appreciated; and nothing can be more unjust than any attempt to defraud them of it, or more impolitic than to rob those social hours of their natural charms and embellishments. The ceaseless activity and gladsome buoyancy of youth, cannot, and ought not be restrained; and if forcibly excluded from their natural channel of sprightly intercourse and social enjoyment, they will infallibly find a vent in others of a more pestilential and ruinous character. The clownish rusticity that drives a youth from the Assembly-Room or the Glee-Club, may virtually lead him to the Tavern, the Gaming Table, or the lowest haunts of prostitution; and those that inveigh so loudly against the former, ought certainly to point out some probable means of obviating the disastrous consequences that invariably result from the latter. With regard to vocal music in particular, we almost repent our classification of it among the subordinate branches. When we consider its high destination in public worship,—its mighty influence in soothing the human heart to tranquillity, or in inspiring it with that patriotic ardor which is the very bulwark of our public ights and liberties, we cannot but regard it as essential qualification. Perhaps no individual has done more for the cause of South American liberty, than the learned author of the National Anthem. He has not only assisted to hurl the tyrant from his throne, but bound him when down with a triple chain. He has encircled the cause of Liberty with a halo of splendor, that must for ever dazzle the eyes and bewilder the senses of the would-be-despot; and that will serve, in the darkest hour of national calamity, as a beacon and rallying-point for the devoted sons of freedom. So true it is, that music combined with poetry may exercise an influence both in domestic and civil life, that the statesman and the philosopher may envy or dread, but that they can neither rival nor counteract.

"Yes; thine is the magic of friendship's bower,
That holiest temple of all below:—
Thou hast accents of bliss for the calmest hour,
And a heavenlier note for the season of wo."

BENEVOLUS.

Buenos Ayres, 24th June, 1834.

(From the "Rio Packet," of 30th April)

On Saturday last, a number of horses, cattle, and sheep, reared on the estate of Mr. George March, were exposed for sale in the *Campo da Honra*. They consisted of some of the most approved breeds of Europe and the Cape of Good Hope, crossed with those of Brazil and Buenos Ayres. The experience of many years proves that the finest breeds of domestic animals deteriorate, unless occasionally crossed with those of foreign countries; whilst it is found that by a judicious mixture of various races, a progeny of superior qualities is produced.

Since the close of the war in the South, the horses in this province have been much improved by importations from the River Plate; but though some of the Buenos Ayrean horses are certainly noble looking creatures, they do not possess the docility and steadiness of the Brazilian horses, neither is the climate and food of Brazil well adapted for them. It is usually found that after a few months they fall off in condition, and it is not without much trouble and expense that they can again be recovered. A cross between the strong boned Buenos Ayrean horse and the smaller but active and quiet Brazilian, appears likely to be superior to both.

When to leave off Drinking.—When you feel particularly desirous of having another glass, leave off—you have had enough. When you look at a distant object, and appear to see two, leave off—you have had too much. When you knock over your glass, spill your wine upon the table, or are unable to recollect the words of a song you have been in the habit of singing for the last half-dozen years, leave the company—you are getting troublesome. When you nod in the chair, fall over the hearth-rug, or lurch on a neighbour's shoulders, go home—you are dead drunk.—*(Falmouth Packet.)*

ADVERTISEMENTS.

J. A. MAYER,
TAILOR,

BEGS leave to inform his Friends and the Public, that he has an excellent assortment of *Superfine and second-rate CLOTH, of all colours*; also, a beautiful assortment of *Silks, stout Mosellas and Worsted Stuff, for Waistcoats*; which he offers to make up in the latest fashion, and the best workmanship, at very low prices: hoping, by attention to business, to merit a continuation of that patronage which he has received for these last eight years.

Calle de la Paz, No. 70,
(From the Plaza de la Victoria, one Square and a-half towards the Retiro.)

STRAYED OR STOLEN,

FROM MONTEVIDEO, Calle de San Gabriel, No. 136, A SPANIEL DOG, with large brown ears, rather long head, point of tail cut, body brown and white. Whoever returns the same, will be handsomely rewarded.

FOREIGN MERCHANT VESSELS

IN THE PORT OF BUENOS AYRES, ON THE 26th OF JUNE, 1834.

VESSELS AND CAPTAINS' NAMES.	CONSIGNEES.	DESTINATION, &c.
BRITISH.		
Brig Ann, Potts,	Lafone, Robinson & Co.,	Loading for Liverpool.
Brig Gondolier, Rhodes,	Parlane, Macalister & Co.	Loading for Liverpool.
Brig Wilton Wood, Stockdale,	M'Crackan & Jamieson,	Loading for Liverpool, *via* Montevideo.
Brig Porcia, Randall,	Anderson, Weller & Co.,	Loading for Falmouth for orders.
Brig Grecian, Young,	Lafone, Robinson & Co.,	Loading for Liverpool.
Brig Dunotter Castle, Patterson,	A. Barber,	Loading for London, *via* Montevideo.
Brig Baronet, Wylie,	R. & J. Carlisle,	Loading for Liverpool.
Brig Urania, Bergh,	S. Lezica, Bros.,	Loading for Cowes, for orders.
Brig Sarah Birkett, Cook,	Parlane, Macalister & Co.,	Loading for Liverpool.
Brig Produce, Ashton,	Dickson & Co.,	Loading for Hull, *via* Montevideo.
Brig Vanguard, Walker,	Pennie, Macfarlane & Co.,	Loading for London, *via* Montevideo.
Brig Martin, John Martin,	Mohr & Ludovici,	Loading for Liverpool.
Schooner Osprey, Fisher,	John M'Dougall & Co.,	Discharging.
AMERICAN.		
Brig Weston, George Weston,	Dorr, Reincke & Lees,	Loading for Valparaiso.
Brig Draco, Gore,	Dorr, Reincke & Lees,	Loading for Boston.
Barque Brothers, Hale	Rodger, Breed & Co.,	Loading for Havana.
Schooner Mary Jane, Dayton,	Davison, Dorr & Co.,	Uncertain.
FRENCH.		
Barque Jeune Gabrielle, Dumas,	Guerin, Seris & Co.,	Loading for Bourdeaux.
Barque Paraguay, Coutard,	C. Brest,	Loading for Havre de Grace.
HAMBURG.		
Barque Duncan, Withrock,	J. J. Klick,	Loading for Havana.
Schooner-brig Titania, Wettern,	J. J. Klick,	Loading for Havana.
Galliot Carle Heinrich, Yurjens,	Mohr & Ludovici,	Loading for Antwerp, *via* Montevideo.
Brig Johannes, Riesdick,	J. J. Klick,	Loading for Hamburg.
BREMEN.		
Brig Catherine, Wessels,	Zimmermann, Frazier & Co.,	Loading for Havana.
Ship Adler, Schuhmacher,	Zimmermann, Frazier & Co.,	Loading for Havana.
DUTCH.		
Brig Phœnix, Vesser,	Lezica, Bros.,	Loading for Amsterdam.
BELGIAN.		
Galliot Antonius, Lange,	Bunge, Hutz & Co.,	Loading for Antwerp.
SARDINIAN.		
Brig San Juan Bautista, Lavagna,	Amadeo & Caprile,	Loading for Rio Janeiro, Malaga, &c.
Polacre Constante, Romanino,	Aymes, Bros.,	Loading for Genoa.
Brig General Fiametta, Bacaro,	Pedro A. Plomer,	Loading for Cadiz and Barcelona.
Brig Tempo, Podesta,	S. Lezica, Bros.,	Havana.
Polacre San Antonio,	J. B. Soriano,	Discharging.
NEAPOLITAN.		
Brig Vesuvio, Lauro,		
Brig Neptuno, Salvatori,	Amadeo & Caprile,	Discharging.
BRAZILIAN.		
Brig Eloisa, Meirelles,	Pedro A. Plomer,	Uncertain.
Patache Novo Verbal, P. da Silva,	C. M. Huergo,	Rio Grande.
Brig Paquete de Santos, Berisso,	Amadeo & Caprile,	Rio Janeiro.
Brig Independente, Cardozo,	J. S. Monteiro,	Brazils.

FOREIGN VESSEL OF WAR.—*None.*

MARINE LIST.

Port of Buenos Ayres.

June 21.—Wind S. S. E.

No arrivals.

Sailed, Oriental packet schr. Adelaide, Bisso, for Montevideo.

June 22.—Wind E.

Arrived, Oriental zumaca Hatabualpa, Bartolomeo Dassoris, from Montevideo 20th inst., with 643 bags wheat, wine, &c., to Amadeo & Caprile.

Sailed, National brig Felipe, Lambi, (late Neapolitan brig Ferdinando,) for Montevideo, despatched by Felipe Botet, in ballast.

Gun-boat No. 7, for Martin Garcia.

French brig Herminie, Soret, for Havre de Grace, despatched by Poucel & Co., with 8303 dry hides, 26 doz. goat skins, 16 pipes with about 550 arrobas tallow, 1092 pieces tortoise-shell.—*Passengers*, Messieurs Egly, Granderau, Vidal, Barbot, Manceau, Monsieur Raynaud, his wife and 2 children, Monsieur Truiffel, his wife and 1 child, Madame Poucel and 2 children,—15 in all.

June 23.—Wind S. E.—rain at night.

Arrived, British schooner Osprey, Fisher, from Liverpool 13th April, general cargo, to John M'Dougall & Co.—*Passenger*, Mr. John M'Dougall.

Sailed, Sardinian barque Juliette, Dodere, for Genoa, despatched by Amadeo & Caprile, with 5016 dry hides, 900 horns, 47 pipes with 2000 arrobas tallow, 14 bales with 280 arrobas wool, 15 do. with 390 arrobas horse hair, 96 quintals horn shavings.

Sardinian brig Aurora, Sturla, for Montevideo, to load for Rio Janeiro, despatched by Amadeo & Caprile, in ballast.

June 24.—Wind W., foggy.—rain in the morning.

No arrivals or sailings.

June 25.—Wind W. S. W.

Arrived, Oriental packet schr. Minerva, Cuneo, from Montevideo 23d, to C. Galeano.

Sailed, Hamburg brig Amphitrite, Gerritz, for Cowes, and a port on the Continent, despatched by S. Lezica, Bros., with 15,133 dry hides.—*Passenger*, Mr. Charles Atkinson.

June 26.—Wind N. N. W.

Arrived, Sardinian polacre San Antonio, Luiz Bodoano, from Parnagua 10th inst., with yerba, timber, &c., to J. B. Soriano.

Sailed, Sardinian schr.-brig Francisca Catalina, Borzano, for Montevideo and Genoa, despatched by José Ortiz Basualdo, with 4661 dry hides, 8000 horns, 6 bales with 182 arrobas horse hair.

June 27.—Wind N. E.

Arrived, Oriental packet schr. Rosa, Moratorio, from Montevideo 26th, to C. Galeano.

Do. do. do. Aguila Segunda, Soriano, from Montevideo 26th, to A. Martinez.

Sailed, American barque Mexico, Bucknam, for Valparaiso, despatched by Dorr, Reincke & Lees, in ballast, *Passengers*, Colonel Thompson and son, Mr. John Johnson, and Señor Francisco Peña.

Sardinian brig Federico, Chivino, for Malaga, despatched by S. Lezica, Bros., with 10,096 dry hides, 6652 horns, 96 calf-skins, 262 arrobas tallow.

Portuguese brig Saudade, Cardozo, for Santos, despatched by M. A. Ramos, with 1024 quintals jerked beef, 337 boxes American soap, 80 boxes tallow candles.

SAILED FROM ENSENADA.

June 21.—British brig Esquimaux, Gelling, for the West Indies, despatched by Davison, Dorr & Co., with 554 dry hides, 99 pipes with 3759 arrobas tallow, 524 strings onions, 493 fanegas barley, 2 bales with 80 arrobas horse hair, 1 do. with 27 doz. chinchilla skins, 50 horses, 8 oxen, &c. &c.

Vessels posted to sail.

29th inst.—Ann, for Liverpool.
30th.—San Juan Bautista, for Rio Janeiro.
1st July.—Weston, for Valparaiso.

SHIPPING MEMORANDA.

The barque Mary Worrall sailed from Liverpool on 6th of April, for Buenos Ayres.

The Victoria was to sail on 13th April, from Liverpool for Buenos Ayres.

Arrived at Montevideo.

14th inst.—Sardinian frigate Admiral Desgeneys, from Genoa and Rio Janeiro.
15th.—British brig Guernsey Lilly, from Tarragona and Rio Janeiro, to Bertram, LeBreton & Co.
22d.—Brazilian brig St. Domingo Eneas, from Rio Janeiro and Maldonado.
Oriental brig Dos Amigos, from Parnagua.
American brig Ceres, Davis, from Boston 12th April, with 1820 barrels flour, &c., to James Noble.
Sardinian ship Bananier, from Valparaiso 4th May, with 1236 bags wheat, &c., to Zimmermann & Co.
British brig Amelia, Roe, from Liverpool, 9th April, to Beley, Stewart & Co.
24th.—Oriental zumaca Union, from St. Catherines.
British brig Caraboo, Fell, from Liverpool 7th April.
25th.—French brig Claire, from Havre de Grace 17th April.
Hamburg brig Good Christine, from Hamburg 20th of March, to Bertram & Co.

Sailed from Montevideo.

13th inst.—Oriental brig Feliz, for Rio Janeiro.
19th.—H. B. M's. packet Cockatrice, for Rio Janeiro.
21st.—Bremen barque Elizabeth, for Havana.
24th.—British brig Hebe, for a port in England.
British schooner-brig Lowther, for ditto.
British schr.-brig Adventure, for Antwerp.

OFFICIAL DOCUMENTS.

A decree dated 4th inst., orders the department of the Commissary-General to be separated from that of the Marine; and appoints Señor José Maria Vasquez to be Commissary.

The quarantine ordered to be imposed upon vessels arriving at this port from ports of the Spanish Peninsula, is, by an order of Government dated 11th inst., set aside; provided the said vessels bring clean bills of health, and have no disease on board which may be thought suspicious, nor have touched at any port where the *cholera morbus* or any other epidemic disorder prevails.

The central directive Committee for superintending the repair of the public roads, has, under date 13th inst., through its President, Señor Felipe Senillosa, forwarded to the Government the report made by the Engineer of the Province, Señor Carlos Zucchi, who had been charged by the Committee to report upon the state of the three main roads to this city. The report rendered by the engineer, was published with the note of the committee.

A note dated 19th inst., from the Minister of the Home Department, recommends to the care of the Philanthropic Society, Dr. José J. Perez, formerly member of Congress, who has fallen into indigence, and is now in the hospital as an incurable lunatic.

An attempt at revolution was made, in April last, at Paris and at Lyons; but it was suppressed after a number of lives were lost.

The Sardinian frigate which has arrived at Montevideo, brought from Genoa the Conde de Palma, in quality of Minister Plenipotentiary from the King of Sardinia to the Court of Brazil. It is also said that the Captain of this frigate has full authorization from the Sardinian Government, to appoint Consuls for his nation at Montevideo and Buenos Ayres, of course with the acquiescence of the respective Governments.

THEATRES.

On 22d inst. was performed two petit pieces, in two acts each, *(Los Comerciantes de Cadiz,* and *El Viejo de 25 años,)* to one of the most crowded houses of the season. Doña Manuelita Funez performed with tolerable effect, and looked well in her white attire.

On 24th, the tragedy of the *Caballeros Templarios*. The house was well attended, but not thronged, owing no doubt to the numerous *tertulias* and balls on this evening, in honor of the *Juans, Juanitos, Juanas* and *Juanitas*.

On 26th, *El Tirano domestico*. Señor Quijano portrayed the hen-pecked hero with much humour. The re-appearance of the Señora Matilde Diez on this evening, caused a general buzz among some wicked people in the house. It had been reported that she had retired in order to give an increase to the world's population,—but it was "no such thing." She (as Shakspeare says,) still endured "the pleasing punishment which women bear;" and, moreover, was dressed with her usual taste, her head-gear without a comb—(nuts for the comb-makers,)—and appeared in excellent spirits. The character she personated was that of a termagant lady of fashion, which she seemed perfectly to understand.

Master Planel again performed on the Violin and Piano: we did not think the exhibition so good as on his previous assay.

The house was full, and the boxes graced by a numerous assemblage of ladies.

CIRCUS.

This theatre opened on Wednesday evening last, and certainly we did not expect to find so commodious a structure, erected as it has been in so short a period. It is something upon the plan of the *Franconi*, at Paris, and calculated to hold about 1200 persons. The front of the Governor's box is ornamented with the arms of the Republic. The ring is extensive, and the stage appears to be well arranged. We sincerely hope the Proprietor will be rewarded for the great expense he has incurred.

Of the performers, performances, &c., we shall speak more at length hereafter; at present we can only say that the grand *entrée* was made by six horses, *viz.*:—Bucephalus, Selim, Flora, Poppet, Jack, and Tom.* Mr. Laforest officiated in the ring; Messrs. Hoffmaster, Hammond, and W. P. Smith, performed various evolutions and "acts of horsemanship." The latter is a masterly equestrian, and rides and vaults with boldness and precision. Mr. Hoffmaster is a capital clown, and his jokes (although most of them were somewhat old,) caused roars of laughter among the numerous strangers present;—in fact we almost fancied ourselves again in Astley's amphitheatre. The sagacity of the horse Selim delighted the spectators. The house was numerausly attended, and the boxes contained various fashionable fair. The Chief of Police was also present.

* These names cannot surely offend the most fastidious. The horse formerly called Bolivar, now bears the Moslem name of Selim; and any *Cadi* of any *Oriental* State of the old world, would no doubt feel honoured at such a christening.

Died,

On 22d inst., of Consumption, MR. JOHN M'CABE, a native of Guernsey, England; aged 32 years. The deceased was accompanied to his last abode by a number of friends and acquaintances.

ADVERTISEMENTS.

TO LET,

A HOUSE in front of No. 59, Calle del 25 de Mayo; containing five Rooms, Kitchen, &c. &c.—Apply in the Coach Yard, near the premises.

NOTICE.

A MIDDLE-AGED respectable WIDOW, of sober habits and without incumbrance, wishes to engage herself in some respectable Family in the capacity of Housekeeper, wherein she would make herself generally useful; and as she has had great experience in the management of household affairs, she trusts she will be found an acquisition to those who are in need of her services; who will be pleased to apply at No. 34, Calle de la Piedad.

PRICES CURRENT.

Doubloons, Spanish,	121 —		*dollars each.*
Do. Patriot,	118 —		*do. do.*
Plata macuquina,	$6\frac{3}{4}$ —	$7\frac{1}{2}$	*do. for one.*
Dollars, Spanish,	7 7-16 —		*do. each.*
Do. Patriot, & Patacones,	$7\frac{1}{4}$ —	$7\frac{3}{8}$	*do. do.*
6 per cent. Stock,	46 —		*do. per cent.*
Bank Shares,	118 —	120	*do. each.*
Exchange on England,	$6\frac{7}{8}$ —	7	*pence per dol.*
Do. on Rio Janeiro,	340 —		*dols. p. ct. prm.*
Do. on Montevideo,	7 7-16 —		*do. p. patacon.*
Do. on United States,	$7\frac{1}{4}$ —		*do. p. U. S. dol.*
Hides, Ox, best	35 —	36	*do. per pesada.*
Do. country,	30 —	32	*do. do.*
Do. weighing 23 to 24lbs.	28 —	30	*do. do.*
Do. salted,	22 —	26	*do. do.*
Do. Horse,	13 —	$13\frac{1}{2}$	*do. each.*
Nutria Skins,	55 —	56	*do. per dozen.*
Chinchilla Skins,	(none.)		*do. do.*
Wool, common,	12 —	14	*do. per arroba.*
Hair, long,	(none.)		*do. do.*
Do. mixed,	19 —	25	*do. do.*
Jerked Beef,	12 —	13	*do. per quintal*
Tallow, melted,	$10\frac{1}{2}$ —	11	*do. per arroba.*
Horns,	350 —	750	*do. per mil.*
Flour, (North American,)	100 —		*do. per barrel.*
Salt, on board,	10 —	11	*do. per fanega.*
Discount,	$1\frac{1}{2}$ —	$3\frac{1}{2}$	*p. ct. p. month.*

The highest price of Doubloons during the week, 121 dollars. The lowest price, 118 dollars.

The highest rate of Exchange upon England during the week, 7 pence. The lowest ditto, $6\frac{7}{8}$ pence.

PRINTED AT THE STATE PRINTING-OFFICE, *No. 19, Calle de Chacabuco.*

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Subscriptions and communications received by the Editor No. 59, Calle del 25 de Mayo.

SUPPLEMENT TO THE BRITISH PACKET N°. 410.

Official Documents, and other papers, relative to the confiscation of 235 doubloons, published in the differents periodicals of this city.

CORRESPONDENCE.

(To the Editor of the Diario de la Tarde.)

Sir—Have the goodness to publish the following:

Since it is our good fortune to possess a patriotic Government, whose proceedings are guided by law, we pray that the Secretary of the Treasury, and his Excellency the Governor, will no longer look with indifference upon the delay of the Fiscal, Dr. Agrelo, in presenting his opinion with regard to the 235 ounces of gold, which were taken from a servant of the commander of the English Packet Cockatrice, while waiting for him near the mole with his baggage; for which Ounces a respectable commercial house of this city has given security until the termination of the trial: This has been carried on during the absence of said commander, without citing or hearing him.

During the period of seven months, three memorials have been presented to the Government requesting a sight of the papers for twenty-four hours, but all these have been handed over to the Fiscal, who has not yet been pleased to give his decision; from which it would appear that it is disagreeable to him to express his opinion on the subject.

In fact we do not know, nor is it easy to imagine the motive he may have for retarding the determination of this affair, as he is no longer occupied with the Bulls of the Bishop, with the trials on the liberty of the Press, nor with the lands in the Misiones: and with respect to the ounces of gold, no one is better acquainted with what has occurred respecting them, than the Fiscal himself, so that it would not cause him much trouble to come to a decision.

The Minister must also be aware that this business cannot be suppressed nor concealed amongst the occupations of the Fiscal.

The commander has the responsibility resting upon him, and the justice or injustice of the proceedings against him being made known, he will be able to come to an understanding with those interested in that money; or, in the unexpected event of not having justice done him, to apply to the government of His Brittannic Majesty.

A FRIEND OF CAPTAIN REES.

(Diario de la Tarde, No. 872, April 29th.)

(To the Editor of the Diario de la Tarde.)

Please to publish the following notice to the author of the Admonition, published this day in the Gazette.

Señor Admonitor—Should the Fiscal, in his anxiety for the credit of the Secretary of the Treasury, accuse the article you have this day published, you may direct a letter to the printing office of the Diario de la Tarde, addressed "To the Friend of Commandant Rees," who offers to provide you with powder and ammunition. You understand me!! Good afternoon, Señor Admonitor.

THE FRIEND OF CAPTAIN REES OF THE ENGLISH PACKET COCKATRICE.

(Diario de la Tarde, No. 884, May 14th.)

Messrs. Editors of the Diario de la Tarde.

The Friend of Commandant Rees, in his communication to the Admonitor, published in the Diario of yesterday, grossly abuses those who in the discharge of their duty, have made him feel the rigour with which the laws of this country punish acts of contraband. We will present tomorrow every particular connected with the subject, and the public will perceive the contempt which the Friend of captain Rees deserves.

A FRIEND OF JUSTICE.

(Diario de la Tarde, No. 885, May 15th.)

OFFICAL DOCUMENTS.

Office of the Secretary of the Treasury.

Confiscation of 235 Ounces of gold coin taken among the vegetables, as they were conveying them aboard of H B. M. Packet Cockatrice, without a permit for exportation.

COMMANDANT REES.

In the month of July of last year, 1833, these ounces were found in a cart which was carrying vegetables for that Packet, by the custom-house officer Angel Sagasta, with whose official report they were sent by the Inspector on duty to the Collector General's Office.

The legal summary, in proof of the fact, was there immediately made out, by which it was proved that the ounces were in reality found at the time the cart was at the water's edge, carrying to the boat the vegetables, in which the ounces were concealed. The plea alleged was, that steps were at that moment taking to procure the permit, and that the cartman had been told to pass by the Custom-House for that purpose. This is substantially all that results from the declarations and writings contained in the summary; in which it was not, after all, established in due form to whom the ounces belonged, whether to the Captain, to D. José Maria Carreras, or to D. Federico Toussain. Indeed this was of little importance, since the fact to be proved was, that the ounces had been taken, concealed amongst the vegetables, at the time of embarking them at the water's-edge, without a permit. This fact was fully proved, the subterfuge or plea alleged not being worthy of attention, that they were at that moment taking measures to obtain the permit, and that orders had been given to the cartman for that purpose to pass by the Custom-House; because such a moment is not proper to get out permits of this kind, nor was it necessary for that purpose that the cart conducting the vegetables should pass by the Custom-House, nor in fact is this the mode nor place of conveying money to be embarked.

The Government, at the request of the Captain of the packet, who represented the necessity of his sailing, and the responsibility he incurred should the affair not be previously concluded, condescended to order the ounces to be delivered to him, on condition of giving sufficient security for the result of the summary; authorizing the Under-Secretary of the Treasury, Don Antonio Martinez Fontes, to admit the person whom he should present as his security.

This was in fact given by Mr. Daniel Gowland, on condition, as expressed in the documents, that the ounces should be delivered to the Captain in his presence; which was complied with.

The summary being concluded, was sent to the Government, and passed to the Fiscal for his opinion, who, under date of 20th July, of last year, delivered the following:

"*May it please your Excellency*,----The Fiscal has seen the summary formed concerning the seizure of 235 ounces of coined gold, which were taken in a bag under the vegetables that the Captain of the English packet Cockatrice was sending on board, and at the time that the cart was entering the water to place them in the boat; and likewise the representation presented by said Captain at the time of his departure. And being well informed respecting every particular, he says: That the fraud intended in this transaction is as manifest, as it is that the ounces would have been sent off without cognizance or permit, if they had not been seized; as may have been the case with many, and will be with more, if there is not proper vigilance, on pretence of importations made by the ship Lucy Ann, and the barque Elizabeth, designed for re-exportation; this being without doubt the means by which money has been all this time exported fraudulently, even at the Mole itself, as the Government has been informed through the most respectable channels, as the Fiscal understands.

"The pleas alleged are not only unworthy of regard, but they are offensive to good sense, and to the decorum of the Government before whom they are adduced. By the declaration of Don Federico Toussain, who it seems was the broker in this transaction, it appears that no Commander of a packet will take charge of money to be embarked, unless it be accompanied with a permit ready for that purpose. How happens it, then, that on this occasion the Captain had in his possession, not the permit, but the petition for the obtaining it, since the day previous, enclosed in the same bag with the money, and which would have gone aboard with it, unless it had been so found?

"It is alleged, that it went in that manner to be taken out that day, and that for that purpose the cartman was told to pass by the Custom House. But was that the moment for taking out such permit, when, without any previous notice or explanation, the ounces were going down to be embarked! This is contrary to the sound reason of any one acquainted with the mode of doing such business, and does not deserve an answer.

"By the same declaration of Toussain, it appears that, in other previous exportations, he and no one else has been required to go through with it, and always with a sufficient previous notice that the exportation might be made public, and made with the intervention of the officers appointed to receive these permits and observe that they are duly taken out, so that the exporter should not meet with any obstacle, nor any fraud occur in the transaction.—And indeed it is so done by all persons interested, even with smaller sums than the present, so that it cannot be believed, that 235 ounces should be left with the person conducting the vegetables, with the sole charge of passing by the Custom House, there to untie the bag, take out the petition, present it, and there wait for the permit. In fine, for all this it was unnecessary to carry the bag concealed among the vegetables, nor even to take the ounces there, for these should be presented at the Guard House and counted at the time of taking them on board, and this is never done at any other place than at the principal Custom House station, as is ordered in such cases.

"Besides, if the person conducting the vegetables was ordered to pass by the Custom House and there take out the permit, or wait until it should be taken out, he is responsible to those interested for such culpable negligence, together with those who charged him with such a business in such improper and pressing moments. In the mean time the fact proved is, that the 235 ounces were taken in the act of embarking them without a permit, and with all the fraudulent precautions necessary to escape the vigilance of the Custom House officers; and if such pleas should avail in similar cases, a door would be opened for every one to commit acts of contraband without the least risk of penalty. Nor is this provision made against the intention or design of committing fraud, but against the fact of fraud itself when discovered, although it might have been done without intention, or by neglect of some of the parties, according to the forms and practice known to be established by law. Thus if any one has an intention of doing a fraud, and does not do it, the law does not affect him; but if he commits the fraud, though without intention, he suffers the penalty. The proofs to this point in the present matter would only save the offender from other penalties, but could never free from confiscation the goods which were found in the act of being taken away without a permit.

The Fiscal also declares, that it is very disagreeable to him, that the Captain should avail himself of the friendly relations that exist with his country to obtain a suppression, or violation of our laws, in a case of money which was not his own, and for which he could not in any case be responsible: but, even supposing he might be, the way to maintain true friendship is, that the subjects of both nations in friendship should be the first in giving the example of a mutual respect to the laws of each other; for this is the wish of their Sovereign and of the Government, and this friendship should never be relied upon to infringe the laws and evade punishment, nor can this idea enter into any treaty of friendship.

"In virtue of all which the Fiscal is of opinion, that your Excellency, being pleased so to do, should declare the 235 ounces (which were taken from the Captain of the English Packet Cockatrice, as is proved in the documents of this suit) confiscated, and furthermore order that the documents should be sent back to the Collector's office, that the surety Mr. Daniel Gowland may deliver the said ounces into the Treasury, and that the same be distributed as the law directs. AGRELO.

"Buenos Aires, July 20th, 1833."

The above was passed to the Assessor, and on the 23d of the same month he delivered his opinion as follows:

"*May it please your Excellency*,—The Assessor, having duly examined the documents of the above proceedings, resulting from the seizure made at the mole of 235 ounces of gold coin, which were about to be embarked on board of the English Packet Cockatrice, without having passed through the formalities necessary to obtain the customary permit; and also what is alleged by Capt. Rees, would observe, that the reasons amd observations made by the Fiscal in his proceeding being correct and in accordance with the laws, the Assessor is of the same opinion in every particular; and that your Excellency, being so pleased, may decide in conformity thereto. INSIARTE.

"Buenos Aires, July 23d, 1833."

According to these opinions, the Government issued its supreme decree of condemnation on the 24th of said month, and the amount confiscated was delivered to the individual interested in it, according to the account and receipt that appears among the documents.

"DECREE OF THE GOVERNMENT.

"Buenos Aires, July 24th, 1833.

"Upon due consideration of the present process, and in conformity with the request of the Fiscal, and the opinion of the Assessor coinciding therewith, let the 235 ounces, detained by the Custom-House officer Don Angel Sagasta, be declared confiscated, and to that effect let these documents be sent to the Collector General.

(Signature of H. Excellency.) DE ZUÑIGA.

"LIQUIDATION AND DELIVERY.

Value of the amount confiscated in metallic currency.....$3995

Delivered to the officer who made the seizure Don Angel Sagasta, the full amount.........................3995

"Office of the Deputy Collector of the Custom-House.

"Buenos Aires, July 25th, 1833. (Signed) ROBREDO."

In this state of the proceedings, orders were given to Mr. Daniel Gowland, who delivered the ounces into the treasury, and from thence they were sent to the agent of the Custum-House department, conformably to the preceding decisions.

Mr. Daniel Gowland however, acting for the Captain, petitioned in his behalf, insisting in the same former plea of a want of fraudulent intentions. The petition being passed to the Fiscal, he replied as follows:

"*May it please your Excellency*,—The Fiscal, having considered the present petition, for a repeal of the decree of confiscation, issued against the 235 ounces of gold coin, found among the vegetables belonging to the English packet Cockatrice, presented by Mr. Daniel Gowland. and on consideration of all he alledges, would observe, that these summary proceedings upon the sole fact of the contraband, or concerning the exporting goods without permit, ta-

ken at the water's edge, on the point of embarking, are not entitled to a new trial nor any other formality than a verbal process, proving the fact, and consequently any thing farther is inadmissible.

"The petitioner confounds intentional fraud with the fact, and thinks, that the ounces have been confiscated, because the Captain, Don Federico Toussain, Don José María de las Carreras, or whoever may be the owner of the ounces, who is as yet unknown, had the intention of committing the act of contraband, and request, they may be permitted to prove, that they had no such intention. But this is evidently erroneous. They might have had the intention of embarking them, and the fact of finding them near the water without permit not having taken place, the ounces, for the intention alone, would not have been confiscated: but on the contrary, being seized in the fact, for this reason alone they are liable to confiscation, however good the intention may have been, as for this the law does not provide, but only for the fact; because if such a thing should be once allowed, it is very probable that these frauds would be daily attempted, with the certainty of screening them afterwards by alledging, that they were casual, and there was no intention of committing them. The seizure of them is the only thing casual; but being seized and the fact proved, this is all that is necessary for the confiscation.

"In these matters besides the summary trial for confiscation, there are other usual formalities which were formerly practised by the judges for the application of the penalty to the individual guilty of acts of contraband; and to evade this penalty, it was that proofs of no intention of fraud were admitted. The Government now indulgently limits itself to the fact, confiscates the goods, and suspends all other proceedings. All proof of casualty and absence of fraud is therefore unnecessary, and it would be the first case in which it would be allowed in a summary process of confiscation.

"The Fiscal has furthermore observed, that it is not yet known, to whom the ounces confiscated belong; because an attempt having been made in the process to prove that they appertained to Don José María de las Carreras, or to Don Federico Toussain, it now appears as if they were the property of the Captain of the packet. But this also is of little importance in the matter of the confiscation; for it is not to whom they belong that is requisite to be proved, but only the fact of their being seized at the time of embarking them among the vegetables without permit; and this is proved. This circumstance is indeed very prejudicial to the agency, undertaken by Mr. Daniel Gowland in order to appear in this trial, in which both he and the person for whom he is surety, have not, from the tenor of the documents, any other interference than as being the persons in whose possession the ounces were deposited, to be delivered to the Government as soon as the trial should be concluded, which is already done in a manner irrevocable by the laws.

"In short, most Excellent Sir, the Fiscal, in fulfilment of his duty, should be permitted to say to Y. Excellency, that this is an extraordinary case, and which happily it has been possible to detect amidst the frequent acts of contraband which, Your Excellency knows, have been committed for a long time past, and which have excited your attention so as to inculcate vigilance upon the officers of the preventive service. It is therefore well calculated for the better carrying into effect our laws, to insure the good conduct of all those officers to whose vigilance and care are committed the security of our coasts, of our harbors and of our revenue, and even the credit of the Government. And the Fiscal is of opinion, that not the least indulgence should be allowed; 1st, on account of all the preceeding weighty reasons; 2d, because no one can do away with the laws; 3d, because a seizure of this magnitude will, by its very importance, afford a most seasonable and salutary opportunity for restraining fraud.

"In virtue of which the Fiscal is of opinion, that your Excellency, being so pleased, should order that the petition be not admitted, and that the decree of confiscation be carried into effect by the Collector General without admitting any farther petition in the matter. AGRELO.

"Buenos Aires, July 26th, 1833."

The Assessor delivered his opinion as follows:

"*May it please your Excellency*,—The Assessor, having examined the petition for a new trial, presented by Mr. Daniel Gowland (without producing his powers in form,) in respect to the decree of confiscation of the 235 ounces of gold coin, which were seized amongst the vegetables in a cart as they were going on board of the English packet Cockatrice; is of opinion, that after all that has been adduced with so much reason by the Fiscal in opposition to the grounds on which it is attempted to support the petition, there is nothing more to be said, except concerning its legality. The laws not recognising any further consideration or petition concerning acts of contraband, nor has such ever been practised, it cannot be granted; for which reason your Excellency ought not to accede to such petition, if it be so considered expedient, but should order in other respects as is proposed in the preceeding opinion of the Fiscal, and as is conformable to law. INSIARTE.

"Buenos Aires, July 30th, 1833."

And the Government issued its final decree in the following terms:

"Buenos Aires, July 30th, 1833.

"Ordered conformably to the opinions of the Fiscal and Assessor General; and for carrying them into effect, let the process be delivered to the Collector.

"(Signature of his Excellency.) DE ZUÑIGA."

The trial being thus irrevocably concluded according to the laws of the country, Mr. Daniel Gowland again presented a petition on behalf of the Captain in the month of January of the present year, requesting the documents to be delivered to him, as also did the Captain one or two months afterwards, which petition, being sent to the Fiscal for his opinion, remained without being attended to, as inadmissible, and amidst a number of other papers of great importance, until complaint was made in the newspapers concerning the delay, and then the Fiscal delivered his opinion, and the Government resolved as follows:

"THE FISCAL.

"*May it please your Excellency*,—The Fiscal presents to your Excellency these petitions, which have been sent to his office in succession in January and March of this year, and in which the Commander of the English packet Cockatrice, Mr. William Rees, and his agent, Mr. Daniel Gowland, have requested to have placed in their hands the documents of the process carried on respecting the confiscation of 235 ounces of gold, which were taken from the former amongst the vegetables at the moment of being sent on board of the packet.

"This process, like all others of the same kind, was finally concluded by the confiscation of the said ounces and their division amongst the individuals who seized them, upon the simple summary proof of the fact of their being seized in the act of being sent on board without a permit and in a fraudulent manner: and as these facts thus proved, and which form the sole ground of confiscation, are not commonly denied by the parties interested, this first stage of the trial of an act of contraband, does not admit of petition nor appeal, which it is generally desired to ground on the absence of fraud or intention, which was only of avail to the individual committing an act of contraband to free him from other penalties imposed by the laws, when a trial was separately carried on concerning the fact.

"At the present day, that all the penalty is confined to the loss of the gold—and this confiscation is not founded on the fraud or intention to commit it, but on the mere fact,—there is no room for any other proceedings nor renewal of trial, nor can the documents be delivered up, which can be of importance only to the public authorities; and for this reason any farther proceedings and delivery of them after a decision, are generally flatly refused.

"In this case the documents were passed by the Fiscal, who, considering them in this point of view, and being much occupied with many important affairs, had not committed his opinion to writing until the present time, that he finds the conclusion of it urged upon him in the public papers.

"He therefore returns them, and is of opinion that your Excellency, being pleased so to do, may declare, that any delivery of the documents cannot be granted, or, as your Excellency may judge most expedient.

"Buenos Aires, April 29th, 1834. AGRELO."

"DECREE OF THE GOVERNMENT.

"Buenos Aires, May 6th, 1834.

"This matter being in every respect concluded and decided, no farther proceedings can be granted, and let the documents be placed in the archives. (Signature of his Excellency.)

"GARCIA."

(Diario de la Tarde, No. 887, May 17th.)

(To the Editor of the Diario de la Tarde.)

Do me the favor to insert the following remarks. Whoever has read the official report, which has been published in the Monitor of the 17th inst. upon the confiscation of 235 doubloons, taken on the Alameda from the servant of the commander of the Packet Cockatrice, will have supposed that, according to strict justice, they have been properly condemned, and that the owners have only to complain of their bad fortune. But this position is not exact. The basis upon which the Fiscal has founded his report, is erroneous, being merely the *ipse dixit* of interested parties, and consequently his inferences are equally false; and sentence has been pronounced during the absence of the commander, without allowing him to make use of the unalienable right which every man has, of being heard in his defence before being condemned. It is, therefore, no matter of surprise that in a transaction which could not support the clear light of truth, an anxious desire should be manifested, of burying it in an abyss of obscurity, where not even a single ray should penetrate. But, my principal object at present, is to declare under my signature:

1st. That I neither now have, nor ever have had, any personal interest whatever, directly nor indirectly, in the ounces in question.

2dly. That I am not (as has been reported) the author of the articles published under the signature of "A friend to Commander Rees," neither have I had any intervention nor knowledge of them previous to their appearance in print; indeed, I am well persuaded that the said Commander will be much displeased at such a use having been made of his name, without his consent.

I am, gentlemen, your most obedient servant,
DANIEL GOWLAND.

(To the Editor of the Diario de la Tarde.)

A friend of captain Rees, having seen the Exposition by the Minister of Finance, published in No. 127 of the Monitor, regrets that it should not have been accompanied by the statement of the officer who made the seizure, the declarations given in by the eye-witnesses of the fact, that of the accused, together with his defence, and objections, which he is said to have offered; for as this Exposition is confined merely to a brief statement of the summary proceedings of the cause, the preparatory investigations of the Fiscal, and opinion of the Assessor, and our friend alledging that he has been condemned without a hearing, and that he was not even summoned to appear; a doubt is created in our minds regarding this affair, particularly as we have seen an affidavit made before H. B. M. Consul here, by the Captain, and other officers of the Packet, to serve them in the trial of this cause, in which they affirm that *not only the Captain was not heard in the affair, nor summoned*, but that the Government consented to his temporary absence. On the other hand, what appears from the summary proceedings, that the ounces were seized in the very act of transgressing the law, that is, were found under, or in a bag containing vegetables, in a cart proceeding to the boat, is not correct. If this be the case, and that the Captain had not the oportunity of producing his objections and defence, nay not even summoned to produce them, as by a natural right he ought to have been, we have not the least doubt but that this affair would offer quite a different aspect.

It is true that the statement published of the summary proceedings makes mention of *presentations and objections made* by the Captain, and that in the very first proceedings of the Fiscal *a presentation made by the Captain*, lay before him, which fully proved the fact: but as we well know that the very afternoon the ounces were seized, viz: 13th July (a short winter's day) the Captain had an interview with the ex-Governor Balcarce, and Sr. Zuñiga, the then Minister of Finance, and moreover took the steps that he mentions in his declaration, before sailing, we think that there could not have been time to transact so much as stated, we therefore beg leave ts publish the affidavit made by the captain and officers of the Packet, to serve until this doubtful point be cleared up in some other more satisfactory manner.

Our friend has informed us that in his presentations requesting to see the Documents relative to this affair, he laid particular stress upon his

having been condemned *unheard*; but in regard to this the Fiscal having confined himself to the cause being already tried, and finally ended, and that *no remedy* was left, throws a doubt upon the Captain's assertions being correct. This doubt ought to be made clear:—and if effectually done, might prove that there is *a remedy*, as we hope it will: for if no hearing was allowed nor any summons given, there must be the *remedy* which is afforded by an invalidated judgment. This may happen in spite even of the Fiscal himself: for our friend knows very well that the Fiscal is not infallible in his decisions, and that he is as liable to err in judgment, as any of his neighbors, likewise that his affirmation in the proceedings of 20th July last, stating that the fact being proved, no pleas of non-intention to smuggle, mistake, negligence, ignorance, or bad management were admissible, may be contradicted by asserting that in cases of this kind, the Fiscal has evinced quite a different opinion in exactly similar circumstances.

The *Gaceta Mercantil* No. 3222, treating on the subject of the Custom House Regulations, states, that every kind of Merchandise which either in quantity or quality may be misrepresented when despatched, shall be condemned to forfeiture; that although the half pipes which are there referred to, were manifested as quarter casks (half the size and quantity) the party, having proved by the original Invoice that he presented, and other proofs, that a mistake had been made in the report, the Fiscal found no difficulty in advising the Goverament to make restitution of the seized goods, to the parties (as was done) the false report having arisen from an error, and no intention to defraud, *although the fact was proved.*

Other cases similar to the foregoing have occurred very lately;—for instance, there were 20 pipes of gin, that the captain of the vessel that brought them, omitted to manifest: but were declared by the consignee: in this case the Regulations provide the 38th article; viz: "Every kind of Merchandise that be not manifested by the captain of the vessel bringing them will be irremissibly forfeited." In the face of which, the consignee proved (God knows how) that it proceeded from mistake, and that no fraud was intended. The gin was given up, *notwithstanding the fact.*

Our friend might argue from the foregoing cases, and we can add, that the Fiscal was mistaken in his proceedings under date of July 20th, where he says, "How is it then that the captain on this occasion admitted not the permit, but merely a petition for a permit, handed to him the day before, and which was inclosed in the bag with the money, and would have gone on board with it, had it not been detected?" "It is stated that it was the captain's intention to have taken out the permit the same day, for which purpose he had instructed the cartman or the person in charge of the money to pass by the Custom-House in order to get the permit; but was that the time to take out such permits, when, without any previous notice, the ounces were on the road to be embarked?"

No persons know better than the officers of the Resguardo, that at that time it was customary to take out the permits *precisely* at the moment of embarking money, in accordance with a decree which restricts it to the *same day* that the permit be signed; so that when any money was to be embarked, it went down accompanied by the permit, the despatch signed then and there, the money counted by the clerks, and the business was finished. This shows the reason why the Captain was correct in receiving the money on the day previous to embarking it and signing the Bills of Lading, under the security of being able to do what he had done at other times, and what every merchant does in similar cases; for if they did not so, any unexpected accident, such as the roughness of the river or any other, the money could not be embarked, and the permit would be rendered thereby useless on the following day. It is evident, therefore, that the time that Capt. Rees chose for taking out his permit, was precisely the time he should have chosen; and it is clear that the ounces were not proceeding to the boat, but that the cart was standing still near the Alameda, in consequence of the conductor's mistaking the Resguardo for the Custom House, and that the Captain was at the Custom House, as could have been and can be proved.

Nothing of this is offensive to common sense (as the Fiscal says,) for those who are acquainted with the manner in which such business is transacted. What offends common reason, is, that the Fiscal should form such erroneous conceptions.

In this manner, many convincing arguments might be adduced to overthrow the charges brought forward by the Fiscal: but confining ourselves for the present to making the public acquainted with the circumstance, thereby affording an opportunity to those persons who are able to clear up the proposed question, of whether or not Capt. Rees had a hearing, and if he was summoned to appear on the trial of the abovementioned cause: we subjoin the affidavit made by Capt. Rees and the officers of the packet.

In other respects, the friend of Capt. Rees is aware of the fatality that has attended this affair. It has been prosecuted, substantiated and finally determined in less than twenty days, when other cases of the same nature have occupied months to resolve. There are at this moment two cases pending more than four months: one respecting 150 bales of cottons that were not manifested, and the other respecting 50 barrels stated in the manifest to have been tar, which proved, when despatched, to be brandy. It is difficult to say what their fate will be, when we consider the contradictory decisions given in similar cases.

The friend of Capt. Rees sympathizes with the Fiscal in his regret that no consideration could be shewn on the score of international friendship, as Capt. Rees pleaded for the suspension of the rigor of our laws; and we feel still more that the services the British packets have, for more than eight years, rendered in carrying our foreign correspondence to and fro without any cost to the State; on the contrary, being the means of augmenting the revenue:—this being the first case of the kind and caused by an evident mistake, and that the word of honor of a distinguished officer in the British navy, such as are chosen for the packet service, should not have influenced the Fiscal's mind in favor of leniency in the application of the penalty.

In the mean time, we consider that we have stepped forth in support of the honor of our friend by publishing these circumstances, and throwing a light on the Minister's exposition.—It must not however be thought that we make any doubt, either of the integrity of the several gentleman who have judged this cause, or of the pure and disinterested zeal with which they have stood out for the fulfilment of the laws, until the ounces were confiscated, and the whole of them given to the Custom officer who seized them, as appears from the documents.

A Friend of Capt. Rees.

"AFFIDAVIT.

"I, William Lee Rees, Commander of H. B. M's packet Cockatrice, hereby declare that, on or about the eleventh of July last, application was made to me by Mr. Frederic Massot, specie and exchange broker, of Buenos Aires, to receive and carry to Rio Janeiro, at the usual rate of freight, two hundred and thirty-five gold doubloons; and, in consequence of the uncertain state of the weather, I agreed to receive them at my residence, to be sent on board in the first boat that might come on shore. The said Massot then brought the ounces, and delivered them to me with two permits, shewing me (I being unacquainted with the Spanish language) that the figures upon them agreed with the quantity handed me, upon which I signed the Bills of lading. I placed the permits in the bag with the money, and the said Massot informed me that it was necessary that the shipment should take place at the Custom-House.

"On the 13th of said month of June, a boat from the Schooner came ashore, and I sent Thomas Sheppord, boy of the Cockatrice, and my servant, with the bag containing the ounces and the permits, with directions to wait for me at the Custom-House: in a short time I went there, where I searched in vain for the boy; and after waiting some time, I accosted Don Vicente Casares, who I knew spoke English, if he had seen any person with money looking for me; he answered that he had seen no one. I then went to the Alameda, where the people of my boat were, and there found Mr. Richard Diure, gunner of the Cockatrice, of whom I made the same inquiry, whether he had seen the boy Thomas Shepperd, and he told me that the boy had been waiting for me a long time, and that he was sitting in a cart below the Alameda, which he then pointed out.

"I then told him to fetch the boy to me with the money, that I might, by going to the Resguardo, rectify the mistake, and ask if it could be embarked there, or whether it would be necessary to show the permit at the Custom-House: as on previous occasions I had shipped specie, shewing the permit at the Resguardo & counting it there, I waited on the Alameda, and while the gunner was approaching the cart, an officer of the Customs, took the ounces from the boy and took them to the Resguardo, where I followed him and told the officers that the permits would be found in the bag with the money. On inquiry from the boy, he told me, that as he had always seen money shipped from the mole, and the officers there examine luggage &c., he supposed the Resguardo to be the Custom-House, and did not know of any other place bearing that name; that after having waited a considerable time for me on the Alameda, and not seeing me, he had for security got into a cart with my steward Simon Dodge, observing to him that he did not consider the money safe among so many people. Simon Dodge informed me that the cart had been stationary for more than twenty minutes, and that no attempt had been made to embark the money, the boat being at some distance, and they being obliged to wait for me, as the cart would have to go a long way into the water. After the money was counted by the officers of the Resguardo, it was put, with the permits, into the bag, and sent to the custom house, they stating that it could not be shipped there. I went to the custom house expecting that they would be immediately given up, when after waiting some time, a clerk of Mr. Daniel Gowland, who happened to be there, asked me if I was aware that the permits were not in the proper form; on this I begged an explanation, when he told me that they were not signed by the competent officer, and that my ignorance of the Spanish language had led me into an error, Massot having presented them to me as permits, which I looked upon as correct, seeing that the number of ounces in figures was agreeable to the number I received.

"I immediately called upon Massot, who informed me that the signature of the Collector was wanting, but that there was no responsability, no fraud being intended; and his Excellency the Governor D. Juan Ramon Balcarce, told me, in presence of Massot, who accompanied me before his Excellency, that he was satisfied I was entirely innocent of any fraud, and the Secretary of the Treasury stated the same very fully in presence of Mr. Daniel Gowland, and proposed to deliver me the money, upon leaving security for the result of the trial, which was given by the said Mr. Daniel Gowland, (with whom I had not been acquainted until he came forward as guarantee for the honourable nature of the transaction.)

"On the 14th (Sunday) before embarking with the mail for Rio Janeiro, the ounces were delivered to me, upon which I immediately went on board. I returned here on the 15th instant, and was informed that the gold had been confiscated ten days after my departure, upon the representations of the officer who detained it, when I had named no legal representative, to act in my absence, resting upon the assurance of the Secretary of the Treasury, Don Victorio Garcia de Zúñiga, that he was fully aware that no fraud had been intended, as there most certainly was not, and when it was well known that I should return with the mail of the present month."

"Personally came and appeared in the British Consulate, this 18th day of September, one thousand eight hundred and thirty three, Lieutenant William Lee Rees, Commander of His Britannic Majesty's Packet schooner Cockatrice; Richard Diure, gunner, and Simon Dodge, steward of the said vessel, who being duly sworn, declared to the truth of the foregoing statement.

"Charles Griffiths, H. B. M's Consul.

[seal.]

"On the 14th day of the month of November one thousand eight hundred and thirty three, personally came and appeared in the British Consulate, Thomas Shepperd, boy of H. B. M's. Schooner Packet Cockatrice, who being duly sworn, declared to the truth of the foregoing statement. Charles Griffiths, H. B. M's Consul."

[seal.]

Note.—The Captain having called his servant to account for having put the ounces into the bag of vegetables, he replied, that such was not the case; as he could prove, that the vegetables were in another cart, and that he held the bag of ounces in his hands in that cart in which he was seated, and in which there was only a case of wine.

All these circumstances might have been, and no doubt will yet be, satisfactorily proved.

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